

Filed for intro on 02/02/95
House Bill _____
By _____

Senate No. SB1073
By Crutchfield

AN ACT to amend Tennessee Code Annotated, Title 5, Chapter 6, relative to county executives, utility districts, and water and wastewater treatment authorities.

WHEREAS, in compliance with Article XI, Section 8, of the Tennessee Constitution, the General Assembly wishes to state that the classification found in this statute is not unreasonable, arbitrary or capricious but instead is based on a rational basis; and

WHEREAS, the rational basis for this classification is found in the fact that, unlike other Tennessee counties, the county meeting this classification:

(1) Is served by a water and wastewater treatment authority which does not provide water service;

(2) Has its water provided by eight (8) utility districts; and

(3) Has, under state law, had its county executive hear petitions of utility districts, and such petitions should continue to be heard by the county executive and not the water and wastewater treatment authority board of commissioners;

now, therefore,

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 5-6-120(a), is amended by designating the existing language as subdivision (1) and by adding the following new subdivision:

(2) Notwithstanding any provision of law to the contrary, the first three (3) sentences of subdivision (1) shall not apply to a county which:

(A) Is served by a water and wastewater treatment authority which does not provide water service; and

(B) Has its water provided by eight (8) utility districts; and

(C) Has, under state law, had its county executive hear petitions of utility districts.

SECTION 2. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 3. This act shall take effect upon becoming a law, the public welfare requiring it.